

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DARRYL BROOKS

Plaintiff,

-vs-

Case No. 3:03-CV-441

**MONTGOMERY COUNTY,
OHIO, et al.,**

Judge Thomas M. Rose

Defendants.

ORDER OF DISMISSAL: TERMINATION ENTRY

The Court having been advised by counsel for the Parties that the above captioned matter has been settled, IT IS ORDERED that this action is hereby DISMISSED, with prejudice as to the Parties, provided that any of the Parties may, upon good cause shown within sixty (60) days, reopen this action if settlement is not consummated.

Parties intending to preserve this Court's jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Insurance Company of America*, 114 S.Ct. 1673 (1994), and incorporate appropriate language in any substituted judgment entry. This Court will retain jurisdiction to enforce the terms of the settlement between the Parties, if necessary.

DONE and **ORDERED** in Dayton, Ohio, this Fifteenth day of May, 2006.

s/Thomas M. Rose

**THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE**

Copies furnished to:

Counsel of Record